

June 25, 2015



JUN 2 5 2015

LEGISLATIVE ENVIRONMENTAL POLICY OFFICE

Joseph R. Chandler, 3398 Hwy. 5 West B., Plentywood, MT 59254
Richard & Elsie Medders, 3398 Hwy. 5 West B., Plentywood, MT 59254
Melvin & Glennis Thompson, 68 Midby, Plentywood, MT 59254
Randy Holtan, PO Box 326, Plentywood, MT 59254
Sheridan County Public Health Department, 100 W Laurel Ave., Plentywood, MT 59254
Director, Department of Fish, Wildlife & Parks, via Email
Lisa Peterson, DEQ, Permitting and Compliance Division, Via Email
Environmental Quality Council, Capitol Complex, Helena, MT 59620
Documents Section, State Library, Capitol Complex, Helena, MT 59620
Paul Nicol, DEQ, Director's Office, via email

#### Ladies and Gentlemen:

To comply with the Administrative Rules of Montana, 17.4.607(2) and 17.4.609(2), the Department of Environmental Quality (DEQ), prepared the enclosed Draft Environmental Assessment (EA). The attached Draft EA is for the land application of septage, gray water and vault toilet-type waste in Sheridan County, Montana.

The purpose of the Draft EA is to inform the public of the proposed action and to seek public participation in the decision-making process. Persons wishing to comment have until the close of business on July 27, 2015, to submit written comments concerning the proposal. DEQ will not make a final decision until after the comment period has ended.

If you wish to comment on this proposed action during the comment period, please do so in writing by mailing your comments to the Waste and Underground Tank Management Bureau, Solid Waste Program, P.O. Box 200901, Helena, MT 59620-0901, or by E-mail to mailbox deqwutbcomments@mt.gov.

Sincerely,

**Bob McWilliams** 

**Environmental Science Specialist** 

BIMONILLE

Waste & Underground Tank Management Bureau

Enclosure: Draft EA- Sheridan Septic

# MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY

Permitting and Compliance Division
Waste and Underground Tank Management Bureau
Solid Waste Section
PO Box 200901
Helena, MT 59620-0901

# DRAFT ENVIRONMENTAL ASSESSMENT

#### SECTION 1.0 – SOLID WASTE SECTION ROLES AND RESPONSIBILITIES:

The Department of Environmental Quality (DEQ), Solid Waste Section (SWS), is responsible for ensuring activities proposed under the Solid Waste Management Act, the Septage Disposal Licensure Act, and the Motor Vehicle Disposal & Recycling Act are in compliance with current regulations. The Solid Waste Section (SWS) is a part of DEQ's Permitting and Compliance Division, Waste and Underground Tank Management Bureau. The Solid Waste Management Act (75-10-201, MCA), the Septage Disposal and Licensure Law, and the Administrative Rules of Montana (ARM), Title 17, Chapter 50 for Cesspool, Septic Tank, and Privy Cleaners, provide the necessary authority for the SWS to license and regulate septic tank pumpers in the state of Montana. A land application site must first be approved by the county in which the site is located before the request for approval is submitted to the SWS for review and approval. Each licensee is responsible for complying with the regulations and other restrictions and/or requirements put in place by the county in which the land application site is located.

#### **Purpose of the Environmental Assessment:**

In accordance with 75-1-102, Montana Code Annotated (MCA), the Montana Environmental Policy Act (MEPA) is procedural and requires the "adequate review of state actions in order to ensure that environmental attributes are fully considered by the legislature in enacting laws to fulfill constitutional obligations; and the public is informed of the anticipated impacts in Montana of potential state actions." According to MEPA, an Environmental Assessment (EA) is a procedural document that communicates the process agencies follow in their decision-making. An EA does not result in a certain decision; but rather, it serves to identify the potential effect of a state action within the confines of existing laws and rules governing such proposed activities so that agencies make balanced decisions. The MEPA process does not provide regulatory authority beyond the authority explicitly provided in the existing statute.

The Septage Disposal and Licensure regulations establish the minimum requirements for the land application of septage wastes. The EA is the mechanism that DEQ uses to determine whether a proposed land application site meets the minimum requirements for compliance with the current laws and rules and is therefore licensable as proposed, assist the public in understanding the licensing laws of the Septage Disposal and Licensure program, identify and discuss the potential environmental effects of the proposed land application activity if it is approved and becomes operational, discuss actions taken by the applicant and the enforceable measures and conditions of the license designed to mitigate the effects identified by DEQ during the review of the application, and seek public input to ensure DEQ has identified all the substantive environmental effects associated with the proposed land application of pumpings on the proposed property.

## **Benefits and Purpose of Project:**

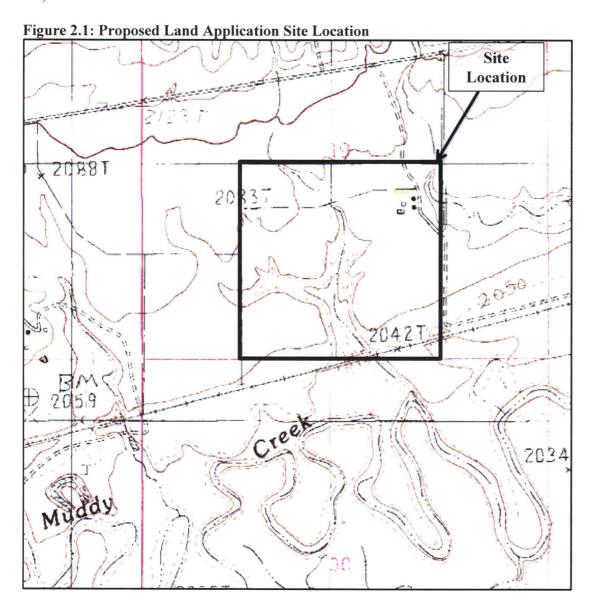
The land application of domestic septage is an economical and environmentally sound practice. A properly managed land application program provides benefits to agricultural land without adversely affecting public health. The land application of septage, vault toilet-type waste, and gray water at this site will add nutrients, moisture, and improve the soil tilth for the continued production of agricultural crops.

### **SECTION 2.0 – PROJECT DESCRIPTION:**

Joseph R. Chandler, of Sheridan Septic (applicant), has submitted an application for the approval of a site for the land application of septage, gray water, and vault toilet-type waste on approximately 45 acres of Richard Medders private property in Sheridan County, Montana. At the present time, the property is being used for farming. Land application will occur at this site only as-needed.

### **Site Location:**

The proposed land application site is located on private property in the South ½ of Section 19, Township 35 North, Range 54 East, Montana Principal Meridian, Sheridan County, Montana; just off of Highway 5 West at mile marker 35 (Figure 2.1). Approximately 45 acres of the 156-acre property will be divided into two separate parcels to be used for the land application of septage, gray water, and vault toilet-type waste (Figure 2.2).





# **Site Setback Requirements:**

In accordance with the Administrative Rules of Montana (ARM), the setbacks noted in Table 2.1 must be maintained by the applicant during land application activities.

**Table 2.1: Land Application Site Setback Requirements** 

ARM Reference	Setback Requirements
17.50.809(1)	Pumpings may not be applied to land within 500 feet of any occupied or inhabitable building.
17.50.809(2)	Pumpings may not be applied to land within 150 feet of any state surface water, including ephemeral or intermittent drainages and wetlands.
17.50.809(3)	Pumpings may not be applied to land within 100 feet of any state, federal, county, or citymaintained highway or road.
17.50.809(4)	Pumpings may not be applied to land within 100 feet of a drinking water supply source.
17.50.809(6)	Pumpings may not be applied to land with slopes greater than 6%.
17.50.809(8)	Pumpings may not be applied to land where seasonally high ground water is 6 feet or less below ground surface.

# **Site Operation and Maintenance Requirements:**

The land application of septage, gray water, and vault toilet-type waste is considered the beneficial use of a waste product when the material is applied in accordance with the laws and rules governing land application. The operational requirements for land application are outlined in Table 2.2.

**Table 2.2: Land Application Site Operational Requirements** 

ARM Reference	Site Restrictions/Requirements
17.50.809(10)	All non-putrescible litter must be removed from the land application site within 6 hours of application.
17.50.809(12)	Pumpings may not be applied at a rate greater than the annual application rate (AAR) of the site for crop nitrogen requirement on an annual basis.
17.50.810(1)	Pumpings may not be applied to flooded, frozen, or snow covered ground if the pumpings may enter state waters.
17.50.811(3)	Pumpings may be applied only if the person first performs one of the following vector attraction and pathogen reduction methods:  • injection below the land surface so no significant amount remains on the land surface within one-hour of injection;  • incorporation into the soil surface plow layer within 6 hours of application;  • addition of alkali material so that the pH is raised to and remains at 12 or higher for a period of at least 30 minutes; or,  • management as required by 17.50.810 when the ground is frozen

The acreage available for land application will be rotated on an annual basis, so that parcels used one year for land application will be actively cropped the next year. This rotation allows the vegetation or crop of choice to utilize the nitrogen and other nutrients added from the land application process.

Pumpings will be land applied using a dispersive mechanism, consisting of either a spreader bar or a splash plate. The dispersive mechanism applies the waste in a wide, thin, even layer at a beneficial rate. Pumpings will be incorporated into the soil surface plow layer with a tractor and tillage equipment within six-hours of application.

Land application will occur as-needed at a rate not exceeding the Annual Application Rate (AAR) in gallons per acre. For septage and vault toilet-type waste the AAR is calculated based upon the production of a specific crop or grass, as follows:

AAR = Crop Nitrogen Requirement/0.0026 for septage waste.

AAR = Crop Nitrogen Requirement/0.0052 for vault toilet-type waste.

In this case, the landowner currently uses the property for the production of wheat. Wheat at this location has a nitrogen requirement of 99 pounds/acre. The resulting AAR for septage application is 38,076 gallons per acre, and is equal to approximately 1.35 inches of liquid per acre per year. For comparison, the average annual precipitation received during the month of August is approximately the amount of septage that would be land applied per acre per year at the proposed site (see Table 2.5). For vault toilet-type waste, the AAR for wheat cropped land is 19,038 gallons per acre; this is equal to 0.675 inches of liquid per acre. For comparison, the average annual precipitation received during the month of October is greater than the maximum amount proposed for land application per acre per year at the proposed site (see Table 2.5). To further ensure that land applied wastes are not over-applied at the site, areas that receive both vault toilet-type waste and septage will be restricted to application at the lowest application rate; which is 19,038 gallons per acre per year for the wheat cropped properties.

# **Site Climate:**

The climate in the area proposed for land application is typical of the semi-arid regime in the Plentywood area. Table 2.3 provides a summary of monthly climate information. The winters in the Plentywood area are long and moderately snowy; the summers are typically hot and dry. The majority of precipitation falls during the months of June and July, while December and February are the driest months. The average annual precipitation is approximately 13 inches.

 Table 2.3: Monthly Climate Summary (Source: Western Regional Climate Center)

PLENTYWOOD, MONTANA (246586) Period of Record Monthly Climate Summary Period of Record: 7/1/1906 to 3/31/2013													
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual
Average Max. Temperature (F)	22.8	30.2	42.6	58.6	69.3	78.1	84.2	84.2	74.4	58.7	38.4	26.5	55.7
Average Min. Temperature (F)	-1.9	5.9	16.8	28.8	39.7	49.3	53.8	51.2	40.7	28.6	15.3	3.5	27.7
Average Total Precipitation (in.)	0.40	0.30	0.48	0.89	1.84	2.73	2.13	1.56	1.19	0.75	0.44	0.31	13.00
Average Total SnowFall (in.)	5.8	3.2	3.3	1.3	0.1	0.0	0.0	0.0	0.1	1.0	3.5	4.1	22.6
Average Snow Depth (in.)	5	2	1	0	0	0	0	0	0	0	0	1	1

#### **SECTION 3.0 – ALTERNATIVES CONSIDERED:**

The following provides a description of reasonable alternatives whenever alternatives are reasonably available and prudent to consider:

A decision by DEQ is triggered when the applicant upholds the request for licensure of the proposed activity at the proposed location. The applicants however, may at any time choose to withdraw the application. This would result in DEQ selecting the "no action" alternative, because a DEQ decision would not be necessary. If the applicant withdraws the application, the applicant could seek to locate a land application site elsewhere.

<u>Alternative A</u>: The "no action" alternative. This alternative will be implemented when a final decision by DEQ is not required because the applicant has chosen to withdraw the application for approval of the land application site.

Alternative B: The 'license application denied' alternative. This alternative will be implemented and DEQ will deny the new disposal site application if the application failed to meet the minimum requirements of the Septage Disposal Licensure Act and continue to be processed as submitted. If denied, the applicant has the option to modify the application for the current site and reapply for licensure, or could locate, investigate, and apply for licensure of another site.

<u>Alternative C</u>: The 'license application approved' alternative. This alternative will be implemented and DEQ will approve the application for licensure of the new disposal site if the application meets the requirements of the Septage Disposal Licensure Act.

In consideration of these alternatives, DEQ has not received a request by the applicant to withdraw the application for licensure. In addition, DEQ has determined the application meets the requirements of the Septage Disposal and Licensure Laws. Therefore, the potential environmental effects of Alternative C were evaluated for the proposed project based on the information provided, DEQ's research on the site and area surrounding the proposed site. The results of DEQ's evaluation of potential environmental effects related to the proposed facility are summarized in Section 4.0.

#### **SECTION 4.0 - EVALUATION OF POTENTIAL EFFECTS**

Tables 4.1 and 4.3 of this section identify and evaluate the potential environmental effects that may occur to human health and the environment if the land application site is approved. The discussion of the potential impacts only includes those resources potentially affected. If there is no effect on a resource, it may not be mentioned in the analysis.

Direct and indirect impacts are those effects that occur in or near the proposed project area and might extend over time. Often, the distinction between direct and indirect effects is difficult to define, thus in the following discussion, impact or effect means both types of effects.

# TABLE 4.1 – POTENTIAL IMPACTS TO THE PHYSICAL ENVIRONMENT

PHYSICAL ENVIRONMENT	Major	Moderate	Minor	None	Unknown	Attached
1. TERRESTRIAL, AND AQUATIC LIFE AND				~		~
HABITATS						_
2. WATER QUALITY, QUANTITY &				~		~
DISTRIBUTION						
3 GEOLOGY				~		~
4. SOIL QUALITY, STABILITY, AND MOISTURE			~			~
5. VEGETATION COVER, QUANTITY & QUALITY			~			~
6 AESTHETICS				~		~
7. AIR QUALITY				~		
8. UNIQUE, ENDANGERED, FRAGILE OR			~			~
LIMITED ENVIRONMENTAL RESOURCES						
9. HISTORICAL AND ARCHAEOLOGICAL SITES				~	-	<b>Y</b>
10. DEMANDS ON ENVIRONMENTAL				~		
RESOURCES ON LAND, WATER, OR ENERGY						

#### ANALYSIS OF TABLE 4.1 – POTENTIAL IMPACTS TO THE PHYSICAL ENVIRONMENT

This section evaluates the potential environmental effects that may occur on the physical environment if the proposed facility is approved. The number on each of the underlined resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.

# 1.0 Terrestrial, Avian, and Aquatic Life and Habitats

There are no wetlands or permanent surface water bodies located on the proposed site. Because no continuously active aquatic systems exist within the boundary of the proposed site, it is unlikely that there is any significant aquatic life or habitat anywhere on the site. Therefore, the impact to aquatic species is none. An intensive survey was not performed to verify the presence of, or impact to, terrestrial or avian species within the land application site because the site is actively being farmed for the production of grass and wheat. No additional impacts are anticipated.

# 2.0 Water Quality, Quantity, and Distribution

#### Surface Water

The proposed application site is located approximately 0.25-0.5 miles north of Big Muddy Creek. An intermittent drainage is mapped on the United States Geological Survey (USGS) Plentywood SW 1:24,000 quadrangle map that bisects the northern proposed application site (Figure 4.1). This intermittent channel drains in a southerly direction to Big Muddy Creek and surface water flows would only occur in this ephemeral drainage during periods of heavy rainfall or rapid snowmelt. However, land application is prohibited within 150 feet of any state surface water, including ephemeral or intermittent drainages and wetlands. Therefore, the necessary setbacks will be marked on the ground with survey stakes or posts to ensure that land application does not occur within 150-feet of this mapped drainage. There are no natural springs known within the immediate vicinity of the proposed application site.

Figure 4.1: Intermittent drainage identified at proposed site



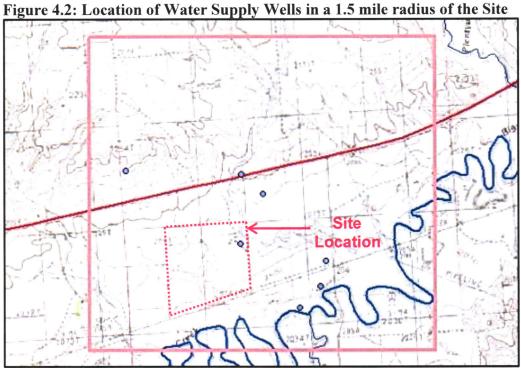
Intermittent drainage channels requiring 150-ft setbacks from the top of slope

#### Groundwater

The glacial till deposits that underlie the site are generally a poor aquifer material because of the low permeability (the ability to transmit water); however, the sand and gravel in buried outwash channels and lenses between till units transmits water and are important aquifers. Groundwater flow direction in these alluvial and glacial materials is controlled by boundary conditions (extent of the aquifer) and location of the recharge areas (Donovan, 1988). The Fort Union Formation underlies the glacial till and outwash deposits that are found at the site. In general, the mudstone and shale layers do not yield water to wells but some of the sandstone and coal beds yield small quantities (usually less than 15 gallons per minute) of water to stock or domestic wells. While groundwater in the Fort Union formation generally flows from west to east; groundwater flow at the proposed site is expected to be generally towards the south-south east, in the direction of Big Muddy Creek.

## Nearby Groundwater Supply Wells

There are very few water supply wells located near the proposed application site. (Figure 4.2) Based on a review of the Montana Bureau of Mines and Geology (MBMG) database of existing wells, there are seven water supply wells located in Fort Union Formation aquifers within a one-and a half mile radius of the facility. The two nearest wells are a water supply well and stock well located on the facility property. According to the MBMG database, the domestic well is completed to a total depth of 88 feet below ground surface and yields six gallons per minute. The static water level in this well is 30 feet below ground surface. The water supply wells within a three mile radius of the facility are typically completed in the Fort Union Formation. The Fort Union wells are completed from 70 to 190 feet below ground, and have static water levels greater than 30 feet below ground surface. (Table 4.2). As a result, there is no anticipated impact to the groundwater or groundwater supply wells.



(Source: Montana Bureau of Mines and Geology)

Table 4.2: Summary of Nearby Wells

Gwic Id	Twn	Rng	Sec	Type	Total depth	Static water level	Pwl	Yield(gpm)	Test	Date	Use
46814	35N	54E	19	WELL	76	35		6	OTHER	5/1/1953	STOCKWATER
46815	35N	54E	19	WELL	88	30	20	6	PUMP	1/17/1954	DOMESTIC
46816	35N	54E	19	WELL	80	35		6	OTHER	4/1/1962	DOMESTIC
46817	35N	54E	19	WELL	190	123	190	5	BAILER	9/23/1984	STOCKWATER
<u>46818</u>	35N	54E	19	WELL	70	40	- "	12	OTHER	11/1/1982	DOMESTIC

(Source: Montana Bureau of Mines and Geology, Ground Water Information Center)

# 3.0 Geology

The stratigraphy in northeast Montana generally consists of alluvium and glacial deposits, which overly the bedrock of the Fort Union Formation. The alluvium consists of fine to coarse-grained floodplain deposits including clay, silt, and sand with occasional gravel lenses. The alluvium is primarily present at the surface near Big Muddy Creek and its major tributaries. Continental glaciers extended into northeastern Montana during several episodes of glaciation leaving deposits of glacial till and outwash materials mantling the bedrock. In some places, glacial debris buried older stream valleys and the alluvium within the valleys. The glacial deposits are underlain by discontinuous beds of fluvial, poorly cemented sandstone, shale, clay, and lignites (coal) of the Fort Union Formation of Tertiary age (Donovan, 1988). Land application of septage is confined to the plow layer of the surface and will not affect the geology of the area.

# 4.0 Soil Quality – Stability & Moisture

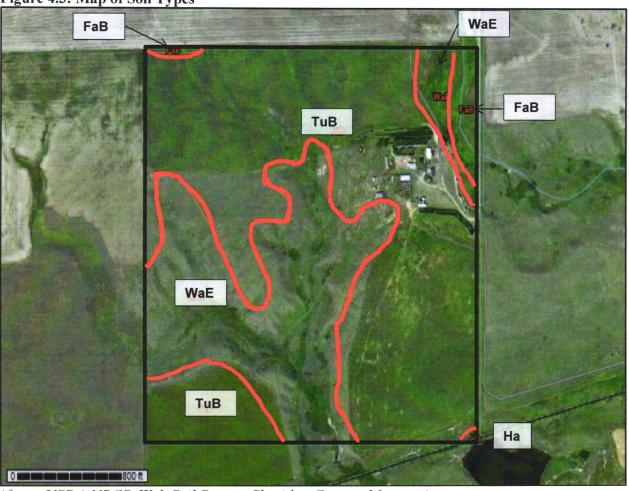
Figure 4.3 shows the soils at the proposed site. The dominant natural soil type at the proposed site consists of the Turner loam (TuB). These soils occur on slopes between from zero to four percent, are well-drained with available water storage capacity of about 5.3 inches, and have a depth to groundwater greater than 80 inches. The minor soil type at the proposed site is the Farnuf loam (FaB). These soils occur on slopes between two to four percent, are well-drained and have a depth to groundwater greater than 80 inches. The soils were developed from the till plains and alluvium derived from shale and siltstone and/or residuum weathered from shale and siltstone. The soil types at the sites are suited for land application of septage because they will allow for storage of the septage until the nutrients can be used by the crop at the site.

<sup>&</sup>lt;sup>1</sup> The total depth column is the depth drilled, which may be deeper than the bottom of the well as completed.

<sup>&</sup>lt;sup>2</sup> Static water level is the level of water measured in the well at the time of installation.

<sup>&</sup>lt;sup>3</sup> Yield is the amount of water the well is expected to be capable of producing as reported by the well driller. Total depth and static water levels are reported in feet below ground surface. Yield is reported in gallons per minute(gpm). All data is based upon driller's logs and may not be reported for every well.





(from: USDA-NRCS, Web Soil Survey, Sheridan County, Montana)

# Soil Key (Figure 4.5)

FaB: Farnuf loam, 2 to 4 percent slopes

Ha: Havrelon silt loam

<u>TuB</u>: Turner loam, 0 to 4 percent slopes

WaE: Wabek gravelly sandy loam, 0 to 35 percent slopes

# 5.0 <u>Vegetation Cover, Quantity and Quality</u>

The vegetative cover, quantity and quality of the land and its crops will be enhanced by the proposed activity. The land application of domestic septage provides benefits to agricultural land by the addition of organic matter, moisture and nutrients to the soil. The land application of septage at the proposed site(s) will result in an increased production of agricultural crops from the added moisture, organic matter, and nutrients contained in the septage.

## 6.0 Aesthetics

This site is on active farming land and is not located on a prominent topographical feature. It is not visible from a highly populated area. The application of septage is similar to the day-to-day farming and ranching activities already occurring at the site and will not cause a change in the aesthetics of the area.

# 8.0 Unique, Endangered, Fragile, or Limited Environmental Resources

A search of the Montana Natural Heritage Program indicated the Baird's Sparrow, Sprague's Pipit, Chestnut-collared Longspur, Bobolink and Whooping Crane are listed as species of concern. Designation as a species of concern is not a statutory or regulatory classification. Instead, these designations provide a basis for resource managers and decision-makers to make proactive decisions regarding species conservation. An intensive site survey was not conducted to verify the presence of, or impact to, sensitive, unique, endangered, or fragile species within or adjacent to the proposed land application site. Additionally, the site is actively used for agricultural crop production. There is adequate acreage of similar habitat available in the vicinity of the proposed site to accommodate any relocated species. As a result of the limited development and human population adjacent to the proposed site and the sites current uses, the impact to resources is minor.

# 9.0 <u>Historical and Archaeological Site</u>

A cultural resource file search was conducted for the proposed location that indicated there have been no previously recorded sites within the area. The State Historic Preservation Office stated that there is a low likelihood that cultural properties will be impacted and therefore a cultural resource inventory is unwarranted at this time. However, should cultural materials be inadvertently discovered during proposed operations at this site, the State Historic Preservation Office will be notified immediately.

# TABLE 4.3 - POTENTIAL IMPACTS TO THE HUMAN ENVIRONMENT

HUMAN ENVIRONMENT	Major	Moderate	Minor	None	Unknown	Attached
1. SOCIAL STRUCTURES & MORES:				~		
2. CULTURAL UNIQUENESS & DIVERSITY:				~		
3. DENSITY & DISTRIBUTION OR POPULATION				~		
& HOUSING:						
4. HUMAN HEALTH & SAFETY:				~		~
5. COMMUNITY & PERSONAL INCOME:				~		
6. QUANTITY & DISTRIBUTION OF				~		
EMPLOYMENT:						
7. LOCAL & STATE TAX BASE REVENUES:				~		
8. DEMAND FOR GOVERNMENT SERVICES:				<b>Y</b>		~
9. INDUSTRIAL, COMMERCIAL, &				~		
AGRICULTURAL ACTIVITIES & PRODUCTION:						
10. ACCESS TO & QUALITY OF RECREATIONAL				~		
& WILDERNESS ACTIVITIES:						
11. LOCALLY ADOPTED ENVIRONMENTAL				~		
PLANS & GOALS:						
12. TRANSPORTATION:				~		~

## ANALYSIS OF TABLE 4.3 - POTENTIAL IMPACTS ON HUMAN ENVIRONMENT

This section evaluates the potential environmental effects that may occur on the human environment if the proposed facility is approved. The number on each of the underlined resource headings corresponds to a resource listed in the tables. Generally, only those resources potentially affected by the proposal are discussed. Therefore, if there is no effect on a resource, it may not be discussed.

# 4.0 Human Health & Safety

The septage, gray water, and vault toilet-type waste will be land applied at the site on an as needed basis. Pumpings will be land applied using a dispersive mechanism, consisting of either a spreader bar or a splash plate. The dispersive mechanism applies the waste in a wide, thin, even layer at a beneficial rate. Pumpings will be incorporated into the soil surface plow layer with a tractor and tillage equipment within six-hours of application. There are no additional health or safety concerns when the site is operated in accordance with the Septage Disposal regulations. Therefore, there are no anticipated impacts on human health and safety.

## 8.0 Demand for Government Services

The Sheridan County Public Health Department and DEQ Solid Waste Section will conduct periodic inspections at the site. Therefore, there is a minor impact for demand for government services.

# 12.0 <u>Transportation</u>

The land application site will be accessed off of Highway 5 which currently supports traffic to rural homes, farms and ranches. The site will be used on an as-needed basis by the applicant and will not cause a significant increase in traffic on Highway 5. There are no anticipated impacts to transportation.

#### SECTION 5.0 CONCLUSIONS AND RECOMMENDATIONS

# Evaluation of mitigation, stipulations, and other controls enforceable by the agency or another government agency:

The proposed land application site and Operation and Maintenance (O&M) Plan will meet the requirements of the Montana Septage Disposal and Licensure Law, Air and Water Quality Acts, and other Montana environmental laws and regulations, as well as county ordinances. Adherence to the regulations and the approved O&M Plan will mitigate the potential for harmful releases and impacts to human health and the environment by the proposed activity at the site.

#### **Recommendation:**

The DEQ recommendation is to distribute the Draft EA to adjacent landowners and interested persons for 30 days to satisfy the public notification and participation requirements of MEPA. Substantive comments received during the 30-day public participation period in response to the Draft EA will be considered in the final decision on the proposed action.

#### **Findings:**

DEQ has determined that the proposed site, located on rural, private property, will have a minor impact on the surroundings. Access to the site will be controlled and all land application activities will be performed according to the DEQ approved O&M Plan. The DEQ approved Plan includes conditions and limitations to ensure the land application operations will be conducted in compliance with all applicable rules and regulations. Site activities will be verified by periodic inspections performed by DEQ and/or Sheridan County personnel to ensure that the potential risk of adverse effects on human health and the environment resulting from land application activities at the site are minimized. This treatment option is a beneficial reuse of a waste product.

# Other groups or agencies contacted or which may have over-lapping jurisdiction:

Sheridan County Public Health Department

# Individuals or groups contributing to this EA:

Joseph R. Chandler - Sheridan Septic Montana Natural Heritage Program Montana Historical Society State Historic Preservation Office Natural Resource Information System

#### **References:**

Western Regional Climate Center, 2215 Raggio Parkway, Reno NV 89512-1095

Montana Tech of the University of Montana, 2012, Montana Bureau of Mines and Geology, Groundwater Information Center, http://mbmggwic.mtech.edu/

United States Department of Agriculture, 2012, Natural Resources Conservation Service, Web Soil Survey, <a href="http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm">http://websoilsurvey.nrcs.usda.gov/app/HomePage.htm</a>

### EA prepared by:

Bob McWilliams, John Collins, Fred Collins, and Mary Louise Hendrickson- DEQ Permitting and Compliance Division, Waste and Underground Tank Management Bureau, Solid Waste Section.

Date: June 25, 2015